

1 Esha Bandyopadhyay, Bar No. 212249
2 bande@perkinscoie.com
Perkins Coie LLP
3 101 Jefferson Drive
Menlo Park, California 94025-1114
Phone: (650) 838-4300
4 Fax: (650) 838-4350

5 Scott T. Wilsdon (admitted *pro hac vice*)
wilsdon@yarmuth.com
6 Matthew A. Carvalho, Bar No. 194163
mcarvalho@yarmuth.com
7 Yarmuth Wilsdon Calfo PLLC
925 Fourth Avenue, Suite 2500
8 Seattle, Washington 98104
Phone: (206) 516-3800
9 Fax: (206) 516-3888

10 Attorneys for Plaintiff Microsoft Corporation

11 **IN THE UNITED STATES DISTRICT COURT**
12 **NORTHERN DISTRICT OF CALIFORNIA**

13 MICROSOFT CORPORATION, a
14 Washington corporation,

15 Plaintiff,

16 v.

17 A&S ELECTRONICS, INC., a California
corporation, d/b/a TRUSTPRICE.COM;
18 ALAN Z. LIN, an individual; and
JOHN DOES 1-5,

19 Defendants.

20 CASE NO. C-08-02321-CW

21 **CERTIFICATE OF SERVICE**

22 Sherrye S. Andrews certifies and declares as follows:

23 I am over the age of 18 years and not a party to this action.

24 My business address is Four Embarcadero Center, Suite 2400, San Francisco, California
25 94111, which is located in the city, county and state where the mailing described below took
place. I am personally familiar with the business practice of Perkins Coie LLP. On June 17,
26 2008, I served the **CASE MANAGEMENT SCHEDULING ORDER FOR REASSIGNED**

CIVIL CASE; NOTICE; STANDING ORDER FOR ALL JUDGES OF THE NORTHERN DISTRICT OF CALIFORNIA, CONTENTS OF JOINT CASE MANAGEMENT STATEMENT, copies of which are attached to this Certificate of Service, on the following parties:

John C. Gorman, Esq.
Charles J. Stiegler, Esq.
GORMAN & MILLER, P.C.
210 North Fourth Street, Suite 200
San Jose, CA 95112

John T. Mitchell, Esq., *Pro Hac Vice*
INTERACTION LAW
1629 K Street, NW, Suite 300
Washington, D.C. 20006

- (By Overnight Courier) I caused each envelope, with postage fully prepaid, to be sent by Federal Express.

(By Mail) I caused each envelope with postage fully prepaid to be placed for collection and mailing following the ordinary business practices of Perkins Coie LLP.

(By Hand) I caused each envelope to be delivered by hand to the offices listed above.

(By Facsimile/Telecopy) I caused each document to be sent by Automatic Facsimile/Telecopier to the number(s) indicated above.

I declare under penalty of perjury under the laws of the State of California that the above is true and correct and that this declaration was executed at San Francisco, California.

DATED: June 17, 2008

Sherrye S. Andrews
Sherrye S. Andrews

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7 IN THE UNITED STATES DISTRICT COURT

8 FOR THE NORTHERN DISTRICT OF CALIFORNIA

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10 MICROSOFT CORPORATION,

No. C 08-02321 CW

11 Plaintiff,

CASE MANAGEMENT
SCHEDULING ORDER FOR
REASSIGNED CIVIL
CASE

12 v.

13 A&S ELECTRONICS, INC., et al.,

14 Defendants.

15 _____ /

16 This action having been reassigned to the undersigned judge,

17 IT IS HEREBY ORDERED that a Case Management Conference will be
18 held on **August 19, 2008, at 2:00 p.m.** in Courtroom 2, 4th Floor, 1301
19 Clay Street, Oakland, CA 94612. Pursuant to Civil L.R. 16-9(a), a
20 joint Case Management Statement will be due seven (7) days prior to
21 the conference.

22 Plaintiff is directed to serve a copy of this Order at once on
23 all parties to this action in accordance with the provisions of Rule
24 5 of the Federal Rules of Civil Procedure. Following service, the
25 party causing the service shall file a certificate of service with the
26 Clerk of Court.

27 This case has been designated for the Court's Electronic Case
28

1 Filing (ECF) Program. Pursuant to General Order 45, each attorney of
2 record is obligated to become an ECF user and be assigned a user ID
3 and password for access to the system. All documents required to be
4 filed with the Clerk shall be filed electronically on the ECF website,
5 except as provided otherwise in section VII of General Order 45 or
6 authorized otherwise by the court.

7 IT IS SO ORDERED.
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9 Dated: June 9, 2008

Claudia Wilken

10 CLAUDIA WILKEN
11 UNITED STATES DISTRICT JUDGE

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(Rev. 10/10/07)

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3 NOTICE

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5 **Case Management Conferences and Pretrial Conferences** are
6 conducted on **Tuesdays** at 2:00 p.m. **Criminal Law and Motion** calendar
7 is conducted on **Wednesdays** at 2:00 p.m. for defendants in custody and
8 2:30 p.m. for defendants not in custody. **Civil Law and Motion**
9 calendar is conducted on **Thursdays** at 2:00 p.m. Order of call is
10 determined by the Court. Counsel need not reserve a hearing date for
11 civil motions; however, counsel are advised to check the legal
12 newspapers or the Court's website at www.cand.uscourts.gov for
13 unavailable dates.

14 Motions for Summary Judgment: All issues shall be contained
15 within one motion of 25 pages or less, made on 35 days notice. (See
16 Civil L.R. 7-2). Separate statements of undisputed facts in support
17 of or in opposition to motions for summary judgment will not be
18 considered by the Court. (See Civil Local Rule 56-2(a)). The motion
19 and opposition should include a statement of facts supported by
20 citations to the declarations filed with respect to the motion.
21 Evidentiary and procedural objections shall be contained within the
22 motion, opposition or reply; separate motions to strike will not be
23 considered by the Court. Any cross-motion shall be contained within
24 the opposition to any motion for summary judgment, shall contain 25
25 pages or less, and shall be filed 21 days before the hearing. The
26 reply to a motion may contain up to 15 pages, shall include the
27 opposition to any cross-motion, and shall be filed 14 days before the
28 hearing. (See Civil Local Rule 7-3). The Court may, *sua sponte* or
29 pursuant to a motion under Civil L.R. 6-3, reschedule the hearing so
30 as to give a moving party time to file a reply to any cross-motion.

31 All discovery motions are referred to a Magistrate Judge to be
32 heard and considered at the convenience of his/her calendar. All such
33 matters shall be noticed by the moving party for hearing on the
34 assigned Magistrate Judge's regular law and motion calendar, or
35 pursuant to that Judge's procedures.

36 Pursuant to General Order 45, § VI.G, "In all cases subject to
37 ECF, in addition to filing papers electronically, the parties are
38 required to lodge for chambers no later than noon on the business day
39 following the day that the papers are filed electronically, one paper
40 copy of each document that is filed electronically."

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(rev. 10/10/07)

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2 **STANDING ORDER FOR ALL JUDGES OF THE NORTHERN DISTRICT OF**
3 **CALIFORNIA**

4 **CONTENTS OF JOINT CASE MANAGEMENT STATEMENT**

5 Commencing March 1, 2007, all judges of the Northern District of California require the identical
6 information in Joint Case Management Statements filed pursuant to Civil Local Rule 16-9. The parties
7 must include the following information in their statement which, except in unusually complex cases,
8 should not exceed ten pages:

9 1. Jurisdiction and Service: The basis for the court's subject matter jurisdiction over
10 plaintiff's claims and defendant's counterclaims, whether any issues exist regarding personal
11 jurisdiction or venue, whether any parties remain to be served, and, if any parties remain to be served,
12 a proposed deadline for service.

13 2. Facts: A brief chronology of the facts and a statement of the principal factual
14 issues in dispute.

15 3. Legal Issues: A brief statement, without extended legal argument, of the disputed points
16 of law, including reference to specific statutes and decisions.

17 4. Motions: All prior and pending motions, their current status, and any anticipated motions.

18 5. Amendment of Pleadings: The extent to which parties, claims, or defenses are expected to be
19 added or dismissed and a proposed deadline for amending the pleadings.

20 6. Evidence Preservation: Steps taken to preserve evidence relevant to the issues reasonably evident
21 in this action, including interdiction of any document-destruction program and any ongoing erasures of
22 e-mails, voice mails, and other electronically-recorded material.

23 7. Disclosures: Whether there has been full and timely compliance with the initial disclosure
24 requirements of Fed. R. Civ. P. 26 and a description of the disclosures made.

25 8. Discovery: Discovery taken to date, if any, the scope of anticipated discovery, any proposed
26 limitations or modifications of the discovery rules, and a proposed discovery plan pursuant to Fed. R.
27 Civ. P. 26(f).

28 9. Class Actions: If a class action, a proposal for how and when the class will be certified.

29 10. Related Cases: Any related cases or proceedings pending before another judge of this court, or
30 before another court or administrative body.

31 11. Relief: All relief sought through complaint or counterclaim, including the amount of any
32 damages sought and a description of the bases on which damages are calculated. In addition, any party
33 from whom damages are sought must describe the bases on which it contends damages should be
34 calculated if liability is established.

35 12. Settlement and ADR: Prospects for settlement, ADR efforts to date, and a specific ADR plan
36 for the case, including compliance with ADR L.R. 3-5 and a description of key discovery or motions
37 necessary to position the parties to negotiate a resolution.

38 13. Consent to Magistrate Judge For All Purposes: Whether all parties will consent to have a
39 magistrate judge conduct all further proceedings including trial and entry of judgment.

- 1 14. Other References: Whether the case is suitable for reference to binding arbitration, a special master, or the Judicial Panel on Multidistrict Litigation.
- 2 15. Narrowing of Issues: Issues that can be narrowed by agreement or by motion, suggestions to expedite the presentation of evidence at trial (e.g., through summaries or stipulated facts), and any request to bifurcate issues, claims, or defenses.
- 3 16. Expedited Schedule: Whether this is the type of case that can be handled on an expedited basis with streamlined procedures.
- 4 17. Scheduling: Proposed dates for designation of experts, discovery cutoff, hearing of dispositive motions, pretrial conference and trial.
- 5 18. Trial: Whether the case will be tried to a jury or to the court and the expected length of the trial.
- 6 19. Disclosure of Non-party Interested Entities or Persons: Whether each party has filed the "Certification of Interested Entities or Persons" required by Civil Local Rule 3-16. **In addition**, each party must restate in the case management statement the contents of its certification by identifying any persons, firms, partnerships, corporations (including parent corporations) or other entities known by the party to have either: (i) a financial interest in the subject matter in controversy or in a party to the proceeding; or (ii) any other kind of interest that could be substantially affected by the outcome of the proceeding.
- 7 20. Such other matters as may facilitate the just, speedy and inexpensive disposition of this matter.